

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 5143 of 1996

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SHANEELKUMAR S SHAH

Versus

STATE OF GUJARAT  
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Appearance:

MR AMAR N BHATT for Petitioner

SERVED BY DS for Respondent No. 1

M/S TRIVEDI & GUPTA for Respondent No. 2  
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CORAM : MR.JUSTICE R.BALIA.

Date of Order: 09/08/96

ORAL ORDER

1 Judgement pronounced.                      Petition              allowed.

Operative portion reads as under:

2. Respondents NO.2 is directed to consider the case of the petitioner and his likes those who have applied before it and have been refused admission in commerce stream solely on the ground of medium of instruction being other than English at the level of qualifying examinations and still desirous of seeking admission in the school in question and if it is found that any such applicant is having more marks in aggregate than the student who has been last in merit amongst students admitted in the school, then such students shall be offered admission in the school. If necessary, for this purpose the school must accommodate additional number of students than what is propagated to be the number of existing seats per division. If

necessary respondent No.1 shall issue necessary permission for this purpose. Admissions already granted shall not be disturbed.

Rule made absolute. No costs.

(Rajesh Balia, J)